

AMENDED IN SENATE JUNE 28, 1999  
AMENDED IN ASSEMBLY MAY 28, 1999  
AMENDED IN ASSEMBLY MAY 13, 1999  
AMENDED IN ASSEMBLY APRIL 28, 1999  
AMENDED IN ASSEMBLY APRIL 20, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1168**

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**Introduced by Assembly Members Frusetta, Cardoza,  
House, Maldonado, Oller, and Thomson**  
(Coauthor: Senator Monteith)

February 25, 1999

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An act to add Article 1.7 (commencing with Section 7270) to Chapter 1 of Part 4 of Division 4 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

AB 1168, as amended, Frusetta. Cooperative Noxious Weeds Management Program.

Existing law sets forth provisions in the Food and Agricultural Code, relating to weeds and pest seeds.

This bill would establish the Noxious Weed Management Area Fund, under the jurisdiction of the Department of Food and Agriculture, for the purpose of managing and eradicating noxious weeds through local cooperative weed management areas, as specified.

The bill would establish a California Interagency Noxious Weed Coordinating Committee consisting of state and federal agencies and private associations.

The bill would require the department to establish an oversight committee to monitor the bill's provisions and would require the department to report on or before April 1 of each year to the Legislature.

The bill would provide that the implementation of these provisions in any fiscal year is contingent upon the appropriation of funds for that fiscal year in the annual Budget Act or another act.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 1.7 (commencing with Section  
2 7270) is added to Chapter 1 of Part 4 of Division 4 of the  
3 Food and Agricultural Code, to read:

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5 Article 1.7. Cooperative Noxious Weeds Area  
6 Management Program

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8 7270. The Legislature finds and declares all of the  
9 following:

10 (a) The destructive impact of noxious weeds in  
11 California is profound.

12 (b) Because California cropland, rangeland, forest,  
13 and parkland is being overrun by invasive, nonnative,  
14 often poisonous weeds, enormous amounts of private,  
15 state, and federal resources are wasted through  
16 decreased land productivity, degradation of wildlife  
17 habitat, or outright destruction of crops, livestock,  
18 wetlands, waterways, watersheds, and recreational areas.

19 (c) These noxious weeds include, but are not limited  
20 to, yellow star thistle, purple loosestrife, leafy spurge,  
21 spotted knapweed, scotch, musk thistle, and puncture  
22 vine.



(d) The estimated costs nationally of lost crop productivity caused by noxious weeds is 7.4 billion dollars, a large proportion of which is attributable to California.

(e) Nationally, the direct and indirect costs of controlling noxious weeds may be as high as 5.4 billion dollars annually.

7271. (a) There is hereby established the Noxious Weed Management Area Fund.

(b) The secretary shall administer moneys in the fund, to be distributed upon appropriation and in cooperation with weed management areas in accordance with this article as developed by the Range Management Advisory Committee and consistent with regulations adopted by the Board of Forestry.

(c) (1) Fifteen percent of the funds shall be made available toward research on the biology, ecology, or management, of the yellow star thistle and other ~~noxious and invasive weeds~~ *weed pests, and to eradicate noxious weeds and to assist counties in establishing weed management areas to control noxious invasive weeds pursuant to this article and Part 1 (commencing with Section 5001) of this division. For purposes of this article, the department shall consult with federal, local, and other state agencies, institutions of higher education, and the Range Management Advisory Committee.*

(2) These research funds shall be made available to qualified researchers through a grant program administered by the department. Proposals shall be evaluated by a review panel and research results shall be presented in reports following completion of the funded projects.

7272. (a) To be eligible to receive funding from the Noxious Weed Management Area Fund pursuant to this article, a cooperative weed management area as defined in subdivision (b) shall be formed in a county or other geographic areas.

(b) (1) A “Cooperative Weed Management Area” (CWMA) is a local organization that brings together all landowners and managers (private, city, county, state, and federal) in a county or other geographical area for

1 the purpose of coordinating and combining their action  
2 and expertise to deal with their common weed control  
3 problems. The organization shall function under the  
4 authority of a mutually developed memorandum of  
5 understanding and subject to statutory and regulatory  
6 weed control requirements. A CWMA may be voluntarily  
7 governed by a chairperson or a steering committee.

8 (2) *For purposes of paragraph (1), “local*  
9 *organization,” “landowners,” and “managers” may*  
10 *include, but are not limited to, a special district.*

11 (c) A noxious weed coordinator appointed by the  
12 secretary shall review, monitor, and evaluate programs  
13 for CWMA. A statewide weed-mapping coordinator  
14 appointed by the secretary shall assist the CWMA in  
15 inventory, mapping, and program-evaluation  
16 monitoring.

17 (d) Each CWMA within the state shall create a  
18 cost-share plan for the integrated management of noxious  
19 weeds within that area. The plan shall be submitted to the  
20 department for review by the noxious weed coordinator  
21 for approval. Each CWMA whose plan is approved shall  
22 receive moneys that are distributed by the department  
23 for the abatement of noxious weeds within that CWMA.

24 (e) The department shall coordinate its  
25 administration of the Noxious Weed Management Area  
26 Fund with federal agencies involved in the management  
27 and eradication of noxious weeds on federal lands, and  
28 with the California Interagency Noxious Weed  
29 Coordinating Committee (CINWCC). The CINWCC  
30 includes representatives from the following:

31 (1) Agricultural Commissioners and Sealers  
32 Association.

33 (2) The department.

34 (3) Department of Transportation.

35 (4) Department of Boating and Waterways.

36 (5) Department of Fish and Game.

37 (6) Department of Forestry and Fire Protection.

38 (7) Department of Parks and Recreation.

39 (8) Department of Water Resources.

(9) Department of the Army, United States Corps of Engineers, South Pacific Division.

(10) United States Department of Agriculture, Natural Resources Conservation Service.

(11) United States Department of Agriculture, Animal and Plant Health Inspection Service.

(12) United States Department of Agriculture, Forest Service.

(13) United States Department of Defense, Air Force.

(14) United States Department of Interior, Bureau of Indian Affairs.

(15) United States Department of Interior, Bureau of Land Management.

(16) United States Department of Interior, Bureau of Reclamation.

(17) United States Department of Interior, Fish and Wildlife Service.

(18) United States Department of Interior, National and Park Service.

7273. (a) The department shall establish an oversight committee to monitor this article.

(b) The membership of the oversight committee shall include the Secretary of Agriculture, or his or her designee, to serve as chair, and one representative from each of the following:

(1) Livestock production.

(2) Agricultural crop protection.

(3) Forest products industry.

(4) Crop protection industry.

(5) California Exotic Pest Plant Council.

(6) Research institutions.

(7) Sportsman—wildlife groups.

(8) Environmental organizations.

(9) Public at large.

(10) Resource conservation districts.

(c) The CINWCC shall serve in an advisory capacity for the oversight committee.

7274. Notwithstanding Section 7550.5 of the Government Code, the department shall submit to the Legislature on or before April 1 of each year a report

1 indicating the success rate of its efforts to abate noxious  
2 weeds in this state.  
3 7275. The implementation of this article in any fiscal  
4 year is contingent upon the appropriation of funds for the  
5 purpose of this article for that fiscal year in the annual  
6 Budget Act or in another act.

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